

Town Board Minutes

**Meeting
No. 7**

Regular Meeting

March 7, 1994

MEETINGS TO DATE 7
NO. OF REGULARS 5
NO. OF SPECIALS 2

LANCASTER, NEW YORK
MARCH 7, 1994

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 7th of March 1994 at 8:00 P.M. and there were

PRESENT: ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
PATRICK C. POKORSKI, COUNCILMAN
LUCIAN J. GRECO, SUPERVISOR

ABSENT: THOMAS H. VAN NORTWICK, COUNCILMAN

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
ROBERT H. LABENSKI, TOWN ENGINEER
JOSEPH F. REINA, TOWN ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR
THOMAS E. FOWLER, CHIEF OF POLICE
JOHANNA M. COLEMAN, RECEIVER OF TAXES

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER GIZA, TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board held on February 28, 1994, and the Joint Meeting Meeting of the Town Board and the Planning Board held March 3, 1994 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED ***
SUPERVISOR GRECO	VOTED YES
*** = ABSENT	

March 7, 1993

File: R.MIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER POKORSKI, TO WIT:

WHEREAS, the Town Board, by resolution dated January 3, 1994, set its regular meeting dates for the year 1994 for the first and third Mondays of the each month, and

WHEREAS, the first regularly scheduled meeting for the month of April 1994 falls upon Easter Monday, and

WHEREAS, an informal canvassing of the members of the Town Board and the departmental support personnel indicates that a quorum would not be present at the regularly scheduled meeting of April 4, 1994,

NOW, THEREFORE, BE IT

RESOLVED, that the regularly scheduled Town Board meeting of April 4, 1994, be and is hereby cancelled and is hereby rescheduled one week later on Monday, April 11, 1994, at 8:00 P.M. at the Town Hall, 21 Central Avenue, Lancaster, New York.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED	YES
COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER POKORSKI	VOTED	YES
COUNCIL MEMBER VAN NORTWICK	VOTED	***
SUPERVISOR GRECO	VOTED	YES

*** = ABSENT

March 7, 1994

File: R.BD.MEETING.CHANGE

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER POKORSKI, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER KWAK, TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Recreation Program for the Elderly within the geographic area of the Town of Lancaster for the period of April 1, 1994 through March 31, 1995, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation for such program to the New York State Recreation Council for the Elderly, New York State Education Department, Albany, New York, and if approved, to apply subsequently to the State of New York for partial reimbursement of funds to be expended,

NOW, THEREFORE, BE IT

RESOLVED:

That such application to the New York State Recreation Council for the Elderly is in all respects approved and that Lucian J. Greco, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Recreation Council for the Elderly, New York State Education Department, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED	YES
COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER POKORSKI	VOTED	YES
COUNCIL MEMBER VAN NORTWICK	VOTED	***
SUPERVISOR GRECO	VOTED	YES
*** = ABSENT		

March 7, 1994

File: R.STATE.ELD

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER GIZA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for the installation of sidewalks along Como Park Boulevard and Penora Street, and

WHEREAS, bids were received and opened on February 3, 1994, and

WHEREAS, the Town Engineer has reviewed the bids and, by letter dated February 15, 1994, has recommended that the lowest responsible bidder, in conformance with the specifications, Cemulini Pecorraro Construction Corp., 709 Pleasant View Drive, Lancaster, New York, in the amount of \$23,152.50;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for the installation of sidewalks along Como Park Boulevard and Penora Street to Cemulini Pecorraro Construction Corp., 709 Pleasant View Drive, Lancaster, New York 14086, in the amount of \$23,152.50 said bid being the lowest bid in conformance with the specifications on file in the Town Clerk's Office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED ***
SUPERVISOR GRECO	VOTED YES
*** = ABSENT	

March 7, 1994

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY SUPERVISOR
GRECO, TO WIT:

WHEREAS, the Town Board, on February 28, 1994, adopted a bond resolution authorizing the construction of Westwood Park in the Town of Lancaster, and a second resolution authorizing the publication of a Notice of Permissive Referendum in regard thereto, and

WHEREAS, the adoption of said resolutions was premature due to the fact that the mandated SEQR review of the project had not yet been completed;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. The Bond Resolution adopted February 28, 1994, authorizing the construction of Westwood Park, be and is hereby rescinded; and
2. The resolution adopted authorizing the publication of a Notice of Permissive Referendum in regard thereto, is hereby rescinded.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED ***
SUPERVISOR GRECO	VOTED YES
*** = ABSENT	

March 7, 1994

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
POKORSKI , TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW
YORK, ADOPTED March 7, 1994, AUTHORIZING
THE CONSTRUCTION OF WESTWOOD PARK, IN THE
TOWN, ON LAND OWNED BY THE TOWN, STATING THE
ESTIMATED MAXIMUM COST THEREOF IS \$2,500,000,
APPROPRIATING SAID AMOUNT THEREFOR, AND
AUTHORIZING THE ISSUANCE OF \$2,500,000 SERIAL
BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Lancaster, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
construct Westwood Park, in the Town, on approximately 120 acres
of land owned by said Town. The estimated maximum cost of said
specific object or purpose, including preliminary costs and costs
incidental thereto and to the financing thereof, is \$2,500,000
and said amount is hereby appropriated therefor. The plan of
financing includes the issuance of \$2,500,000 serial bonds of the
Town to finance said appropriation, and the levy and collection
of taxes on all the taxable real property in the Town to pay the
principal of said bonds and the interest thereon as the same
shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$2,500,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the specific object or purpose for which said \$2,500,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 19. (a) of the Law, is twenty (20) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any

notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to permissive referendum.

* * *

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED ***
SUPERVISOR GRECO	VOTED YES

*** = ABSENT

MARCH 7, 1994

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
GIZA , TO WIT:

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Lancaster shall, within ten (10) days after the adoption of this resolution, cause to be published, in full, in the "LANCASTER BEE," a newspaper published in Buffalo, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication, and posted on sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF LANCASTER, NEW YORK

PLEASE TAKE NOTICE that on March 7, 1994, the Town Board of the Town of Lancaster, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Lancaster, New York, adopted March 7, 1994, authorizing the construction of Westwood Park, in the Town, on land owned by the Town, stating the estimated maximum cost thereof is \$2,500,000, appropriating said amount therefor, and authorizing the issuance of \$2,500,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to construct Westwood Park, in the Town, on approximately 120 acres of land owned by said Town; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$2,500,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$2,500,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$2,500,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or purpose is twenty (20) years; the proceeds of the bonds authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of the resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$2,500,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: March 7, 1994

Robert P. Thill
Town Clerk

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED ***
SUPERVISOR GRECO	VOTED YES
*** = ABSENT	

MARCH 7, 1994

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
POKORSKI , TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws, and

WHEREAS after review and consideration, the Town Board of the Town of Lancaster deems it in the public interest to enact Local Law No. 1 of the Year 1994, entitled, "Acquisition of Open Spaces and Areas", and further designated as Chapter 1 of the Code of the Town of Lancaster, which reads as follows:

ACQUISITION OF OPEN SPACES AND AREAS

Chapter 1

Proposed

LOCAL LAW NO. 1
1994

ACQUISITION OF OPEN SPACES AND AREAS

A LOCAL LAW TO PROVIDE FOR THE ACQUISITION OF INTERESTS OR RIGHTS IN REAL PROPERTY FOR THE PRESERVATION OF OPEN SPACE AND AREAS IN THE TOWN OF LANCASTER, OUTSIDE OF THE VILLAGES OF LANCASTER AND DEPEW.

- 1-1. Title.
- 1-2. Purpose.
- 1-3. Legislative authority.
- 1-4. Jurisdiction
- 1-5. Definitions
- 1-6. Procedure for granting easement.
- 1-7. Valuation for taxation
- 1-8. Enforceability
- 1-9. When effective.

Be it enacted by the Town Board of the Town of Lancaster, as follows:

1-1. Title.

This chapter shall hereinafter be known and cited as the "Acquisition of Open Spaces and areas Law of the Town of Lancaster", and further designated as Chapter 1 of the Code of said Town.

1-2. Purpose.

It is the purpose of this Chapter to provide for the acquisition of interests or rights in real property for the preservation of open spaces and areas which shall constitute a public purpose for which public funds may be expended or advanced after due notice and a public hearing, by which the Town of Lancaster may acquire by purchase, gift, grant, bequest, device, lease or otherwise, the fee or any lesser interest, development right, easement, covenant or other contractual right necessary to acquire "open space" or "open area" as the same is defined in Section 1-5 herein.

1-3. Legislative authority.

In accordance with Section 247 of the General Municipal Law of the State of New York, the Town Board of the Town of Lancaster has the authority to acquire such interests or rights in land.

Pursuant to the above authority, the Town Board has prepared and adopted this chapter setting forth standards and procedures to be followed in the acquisition of such interest.

1-4. Jurisdiction.

This chapter shall apply to the entire area of the Town of Lancaster outside of the Villages of Lancaster and Depew.

1-5. Definitions.

For the purposes of this chapter, the terms used herein are defined as follows:

OPEN SPACE or OPEN AREA -- Any space or area characterized by natural scenic beauty or whose existing openness, natural condition or present state of use, if retained, would enhance the present or potential value of abutting or surrounding urban development or would maintain or enhance the conservation of natural or scenic resources. For the purposes of this definition, "natural resources" shall include, but not be limited to agricultural lands defined as open lands actually used in bona fide agricultural production.

1-6. Procedure for granting easement.

- A. Proposal by owner. Any owner or owners of land may submit a proposal to the Town Board of the Town of Lancaster for the granting of interest or rights in real property for the preservation of open space or areas.

Such proposal shall be submitted in such manner and form as may be prescribed by the Planning Board and shall include a survey map and metes and bounds description of the proposed area.

The proposal shall contain the names and mailing addresses of all adjacent property owners of record as of the date of submittal.

- B. Review by the Planning Board. Upon receipt of such proposal, the Town Board shall convey the proposal to the Planning Board. The Planning Board shall investigate the area to determine if the proposal would be of benefit to the people of the Town of Lancaster and may negotiate the terms and conditions of the offer. If the Planning Board determines that it is in the public interest to accept such proposal, it shall recommend to the Town Board that it hold a public hearing for the purpose of determining whether or not the Town should accept such proposal.

- C. Public hearing by Town Board. The Town Board shall, within thirty (30) days of receipt of such advisory opinion, hold a public hearing concerning such proposal at a place within the Town of Lancaster. At least ten (10) days' notice of the time and place of such hearing shall be published in a paper of general circulation in such town, and a written notice of such proposal shall be given to all adjacent property owners and to any municipality whose boundaries are within five hundred (500) feet of the boundaries of said proposed area, and to the school district in which it is located.

- D. Determination. The Town Board, after receiving the reports of the Planning Board, and after such public hearing, may adopt the proposal or any modification thereof it deems appropriate, or may reject it in its entirety.

- E. Recording agreement. If such proposal is adopted by the Town Board, it shall be executed by the owner or owners in written form and in a form suitable for recording in the County Clerk's office.

1-7. Valuation for taxation.

After acquisition of any such interest pursuant to this chapter, the valuation placed upon such area for purposes of real estate taxation shall take into account and be limited by the limitation on the future use of the land.

1-8. Enforceability.

Any interest acquired pursuant to this Local Law is hereby enforceable by and against the original parties and the successors in interest, heirs and assigns of the original parties, provided that a record of such acquisition is filed in the manner provided by Section 291 of the Real Property Law. Such enforceability shall not be defeated because of any subsequent adverse possession, laches, estoppel, waiver, change in character of the surrounding neighborhood or any rule of common law. No general law of the state which operates to defeat the enforcement of any interest in real property shall operate to defeat the enforcement of any acquisition pursuant to this Local Law, unless such general law expressly states the intent to defeat the enforcement of any acquisition pursuant to this section.

1-9. When effective.

This Local Law shall take effect upon property mailing, filing, and publication in accordance with the law.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That pursuant to the Municipal Home Rule Law of the State of New York, and Chapter 26 of the Code of the Town of Lancaster, a Public Hearing on the proposed Local Law No. 1 of the Year 1994, entitled, "Acquisition of Open Spaces and Areas", and further designated as Chapter 1 of the Code of the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:20 o'clock P.M., Local Time, on the 21st day of March, 1994, and that Notice of the Time and Place of such Hearing shall be published on March 10, 1994, in the Lancaster Bee, being a newspaper of general circulation in said Town and posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof, and

2. That the Town Clerk is hereby directed to make copies of the proposed Local Law No. 1 of the Year 1994, entitled, "Acquisition of Open Spaces and Areas", available for inspection by and distribution to any person during business hours.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED ***
SUPERVISOR GRECO	VOTED YES
*** = ABSENT	

March 7, 1994

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted March 7, 1994, the said Town Board will hold a Public Hearing on the 21st day of March, 1994, at 8:20 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the proposed Local Law No. 1 of the Year 1994, entitled, "Acquisition of Open Spaces and Areas", and further designated as Chapter 1 of the Code of the said Town, briefly described as follows:

"A Local Law to provide for the acquisition of interests or rights in real property for the preservation of open space and areas in the Town of Lancaster outside of the Villages of Lancaster and Depew."

A complete copy of the proposed Local Law No. 1 of the Year 1994, entitled, "Acquisition of Open Spaces and Areas", and designated as Chapter 1 of the Code of the Town of Lancaster, is available at the office of the Town Clerk for inspection and distribution to any person during business hours.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

By: ROBERT P. THILL
Town Clerk

March 7, 1994

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER POKORSKI , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK , TO WIT:

WHEREAS, a Public Hearing was held on the 7th day of February, 1994,
for the purpose of amending Chapter 13, "Dogs", of the Code of the Town of
Lancaster, County of Erie, State of New York, and persons for and against such
amendment have had an opportunity to be heard, and

WHEREAS, a Notice of Public Hearing was duly published and posted,
and

WHEREAS, the Town Board and Town Attorney have recommended the
proposed amendment of Chapter 13, "Dogs", of said Code;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 13, "Dogs" of the Code of the Town of Lancaster be
and is hereby amended in form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of
the Town Board of the Town of Lancaster held on the 7th day of February, 1994;
3. That a Certified copy of this Amendment be posted on the Town
Bulletin Board;
4. That Affidavits of Publication and Posting be filed with the
Town Clerk.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED ***
SUPERVISOR GRECO	VOTED YES
*** = ABSENT	

March 7, 1994

File: R.and.dog.ord.13.10.adpt.

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO CHAPTER 13, DOGS
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that Chapter 13, Dogs, of the Code of the Town of Lancaster shall be amended as follows:

CHAPTER 13 - DOGS, shall be amended by the adoption of a new section 13-10, to read as follows:

13-10. Removal of canine wastes.

- A. It shall be the duty of each dog owner or person having possession, custody or control of a dog to remove any feces left by his or her dog on any sidewalk, gutter, street or other public area.
- B. It shall further be the duty of each dog owner or person having possession, custody or control of a dog to remove any feces left by his or her dog on any other private property.
- C. Any violation of this section shall constitute a violation punishable by a fine or a civil penalty of not less than Twenty-five Dollars, nor more than One Hundred Dollars (\$100.).
- D. The provisions of this section shall be enforced by the Dog Control Officer of the Town of Lancaster.
- E. The provisions of this section shall not apply to a guide dog, hearing dog or service dog accompanying any person with a disability.
- F. It shall be an affirmative defense in any prosecution for a violation of Section 13-10 (B), that the owner of or person in possession of the private property refuses to allow the dog owner or person having possession, custody or control of a dog to enter upon such property for the purpose of removing any feces left by his or her dog thereon.

The present Sections 13-10 and 13-11 shall be renumbered 13-11 and 13-12 respectively.

March 7, 1994

STATE OF NEW YORK:
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

THIS IS TO CERTIFY that I, ROBERT P. THILL, Town Clerk of the Town of Lancaster in said County of Erie, have compared the foregoing copy of ORDINANCE AMENDMENT with the original thereof filed in my office at Lancaster, New York, on the 7th day of March, 1994, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town this 7th day of March, 1994.

Robert P. Thill
Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GIZA, WHO MOVED
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK ,TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster, by memorandum dated March 2, 1994, has requested permission for himself and Council Member Thomas H. Van Nortwick to attend the New York State Government Finance Officers' Association's Conference in Albany, New York from March 22nd through March 25th, 1994,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor Greco and Council Member Van Nortwick of the Town of Lancaster, be and are hereby authorized to attend the New York State Government Finance Officers' Association's Conference in Albany, New York from March 22nd through March 25th, 1994, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED ***
SUPERVISOR GRECO	VOTED YES
*** = ABSENT	

March 7, 1994

File: R.SEM.MTGS (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
GIZA, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 11207 to Claim No. 11346 Inclusive

Total amount hereby authorized to be paid:

\$506,929.87

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED ***
SUPERVISOR GRECO	VOTED YES
*** = ABSENT	

March 7, 1994

File: R.CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER POKORSKI, WHO MOVED ITS
ADOPTION, SECONDED BY SUPERVISOR
GRECO, TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW
YORK, ADOPTED MARCH 7, 1994, AUTHORIZING THE
PURCHASE OF VARIOUS TRUCKS AND EQUIPMENT FOR
USE BY THE TOWN HIGHWAY DEPARTMENT, STATING THE
ESTIMATED TOTAL COST THEREOF IS \$190,000,
APPROPRIATING SAID AMOUNT THEREFOR, AND
AUTHORIZING THE ISSUANCE OF \$190,000 SERIAL
BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION.

Recital

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK HEREBY RESOLVES, (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Lancaster, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
purchase various trucks and equipment for use by the Town Highway
Department. The estimated maximum cost of said class of objects
or purposes, including preliminary costs and costs incidental
thereto and to the financing thereof, is \$190,000 and said amount
is hereby appropriated therefor. The plan of financing includes
the issuance of \$190,000 serial bonds of the Town to finance said
appropriation, and the levy and collection of taxes on all the
taxable real property in the Town to pay the principal of said

bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$190,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the class of objects or purposes for which said \$190,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 28. of the Law, is five (5) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation

of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately , and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the "LANCASTER BEE," a newspaper published in Buffalo, New York, having a general circulation in the Town and hereby designated the official newspaper of said Town for such publication.

* * *

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED ***
SUPERVISOR GRECO	VOTED YES
*** = ABSENT	

March 7, 1994

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GIZA, WHO MOVED
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK ,TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated March 3, 1994, has requested permission to attend the Association of New York State Youth Bureaus General Membership Meeting and Legislative Breakfast on March 21st and March 22nd, 1994 in Albany, New York,

NOW, THEREFORE, BE IT

RESOLVED, that JOHN TROJANOWSKY, Executive Director of the Youth Bureau of the Town of Lancaster, be and is hereby authorized to attend the Association of New York State Youth Bureaus General Membership Meeting and Legislative Breakfast on March 21st and March 22nd, 1994 in Albany, New York, and

BE IT FURTHER

RESOLVED, that expense reimbursement be and is hereby authorized in an amount not to exceed \$100.00, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED ***
SUPERVISOR GRECO	VOTED YES
*** = ABSENT	

March 7, 1994

File: R.SEM.MIGS (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER KWAK, TO WIT:

WHEREAS, by memorandum dated March 4, 1994, the Supervisor has requested the transfer of funds in the 1994 General Fund Budget for the purpose of increasing the anticipated need for photo supplies and decreasing the Gasoline and Oil line item to off-set these expense items within the Assessment Budget,

NOW, THEREFORE, BE IT

RESOLVED, that the following transfer within the 1994 Adopted General Fund Budget be and is hereby approved:

TRANSFER:

FROM:

01.1355.0431 (Gasoline and Oil) 200.00

TO:

01.1355.0446 (Photo Supplies) 200.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED ***
SUPERVISOR GRECO	VOTED YES
*** = ABSENT	

March 7, 1994

File: R.ACT.T.RANSFER (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER KWAK, TO WIT:

WHEREAS, by memorandum dated March 4, 1994, the Supervisor has requested the transfer of funds in the 1994 General Fund Budget for the purpose of properly allocating the Town Prosecutor funds by moving the existing line item from the Personal Services to Contractual Services within the Law Department Budget. The Town Prosecutor is an independent contractor and not an employee of the Town.

NOW, THEREFORE, BE IT

RESOLVED, that the following transfer within the 1994 Adopted General Fund Budget be and is hereby approved:

TRANSFER:

FROM:

01.1420.0100 (Town Prosecutor)	8,500.00
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TO:

01.1420.0410 (Professional Services)	8,500.00
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The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN POKORSKI	VOTED	YES
COUNCILMAN VAN NORI WICK	VOTED	***
SUPERVISOR GRECO	VOTED	YES
*** = ABSENT		

March 7, 1994

File: R.ACCT.TRANSFER (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER POKORSKI , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore retained Donald Gallo, Consulting Engineer, to prepare plans and specifications, and provide engineering services for Walden Pond Park, Phase 2-C, and

WHEREAS, plans and specifications have been filed with the Town Clerk, and

WHEREAS, the Town Board of the Town of Lancaster, after review of the plans and specifications, desires to advertise for public bids pursuant to the requirements of Section 103 of the General Municipal Law;

NOW, THEREFORE, BE IT

RESOLVED, that Sealed Bids for Walden Pond Park, Phase 2-C at Walden Avenue and Ransom Road, in the Town of Lancaster, will be received by the Town Clerk at his office in the Town Hall, 21 Central Avenue, Lancaster, New York 14086, at 10:00 A.M., Local Time on the 31st day of March 1994, at which time they will be publicly opened by the Town Engineer in the Town Clerk's Office; and that a Notice to Bidders shall be published in the Lancaster Bee on March 17, 1994, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED ***
SUPERVISOR GRECO	VOTED YES

*** = ABSENT

March 7, 1994

File: R.Not.Bdrs.Wldn.Pnd.Pk.2.C

TOWN OF LANCASTER
ERIE COUNTY, NEW YORK

WALDEN POND PARK - PHASE 2C
CONTRACT NO. 8

NOTICE TO BIDDERS

Sealed Bids for Phase 2C Improvements at Walden Pond Park at Walden Avenue and Ransom Road in the Town of Lancaster, Erie County, New York, for the Town of Lancaster will be received from bidders by the Town Clerk at his office in the Town Hall, 21 Central Avenue, Lancaster, New York 14086 on or before 10:00 A.M., Local Time, on the 31st day of March, 1994, at which time they will be publicly opened in the Town Clerk's office by the Town Engineer and read aloud. The Project consists of two (2) softball diamonds, soccer field improvements and related work.

Contract Documents may be examined at the office of the Town Clerk of the Town of Lancaster at 21 Central Avenue, Lancaster, NY 14086 and at the offices of the ENGINEER at the address listed below between the hours of 9:00 A.M. and 4:30 P.M. from March 17, 1994 to March 31, 1994 except Saturdays, Sundays, and Holidays.

Copies may be obtained from the office of the ENGINEER upon deposit of \$100.00 for each set. The ENGINEER will mail the Contract Documents to those wishing to obtain a set upon receipt of the document fee plus a non-refundable mailing and handling charge of Twenty Dollars (\$20.00) per set. The mailing date will be considered the bidder's date of receipt. Partial sets of Contract Documents will not be available. Neither the OWNER nor the ENGINEER will be responsible for full or partial sets of Contract Documents, including any addenda, obtained from other sources. Bidders who return full sets of documents in good condition within thirty (30) days of award of the contract will receive a full refund. Non bidders will be refunded one-half of the deposit upon return of full sets of Contract Documents within thirty (30) days of award of the Contract. No refunds will be made for the return of additional sets. Checks for documents shall be made payable to the ENGINEER. The \$100.00 deposit shall be in the form of two (2) \$50.00 checks made payable to the ENGINEER. Checks for mailing fees shall be made payable to the ENGINEER.

The attention of the Bidders is called particularly to the requirements with respect to conditions of employment to be observed and minimum wage rates to be paid under the contract, and further to the Affirmative Action Requirements for Equal Employment Opportunity.

The attention of the Bidders is called to the provisions of Article 5A of the General Municipal Law which requires the Bidder to execute a certificate of non-collusion and to conform with the other provisions of Article 5A outlined in the Instructions to Bidders and Supplementary Conditions. A form for such certificate accompanies the bid form. Unless it is properly executed, the bid will not be accepted.

The successful Bidder will be required to furnish Payment and Performance Bonds each in an amount equal to 100 percent (100%) of the Contract award.

For the purpose of the deposit refund, bidders shall only be considered as those that formally submit a bid at the time and place as stated above and for the purpose of the performance of the work as set forth in these Specifications.

Bid Forms shall not be removed from the Project Manual and the entire Project Manual shall be submitted with the Bid.

Each proposal must be accompanied by the deposit of a certified check, payable to the Order of the Town of Lancaster, for a sum equal to five percentum (5%) of the total amount of the bid, or a bond with sufficient sureties in a penal sum equal to five percentum (5%) of such total bid amount, conditioned that if the proposal is accepted, the successful bidder will enter into a contract for the work, and that he will execute within fifteen (15) days from the date of award, a suitable security bond in the amount of the contract, conditioned for the faithful and prompt performance and completion of the work specified in the contract.

All deposits, except that of the successful bidder, will be returned.

Upon acceptance of his bid, if the successful bidder fails to enter into a contract pursuant to the requirements of the Board, or fails to give the further security prescribed in this notice, with the time limited therein, then the check deposited as aforesaid and the moneys standing to the credit of same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any and all bids.

As evidence of his competency to perform the work, each Bidder shall submit with his Bid a statement of his qualifications and resources. Each Bid must contain evidence of Bidder's qualification to do business in the state where the Project is located or covenant to obtain such qualification prior to award of the Contract. Low Bidders may be asked to furnish additional data to demonstrate competency.

The right to reject any or all bids, to waive any informalities in, or to make an award to other than the low bidder or to the lowest responsive and responsible bidder, to delete bid sections or items, should it be deemed to be in the best interest of the Town of Lancaster, and in accordance with law, are herewith reserved.

The Town of Lancaster is an exempt organization under the Tax Law and is exempt from payment of Sales and Compensating Use Taxes which are to be incorporated into the project and which are to be separately sold by the CONTRACTOR to the OWNER prior to incorporation into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid. Sales tax will be due on all materials purchased by CONTRACTOR which are either "consumable" or rental property used by the CONTRACTOR in connection with the construction or repair.

Award of a Contract or Contracts is subject to Town of Lancaster Financing.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LANCASTER, N. Y.

Robert P. Thill, Town Clerk

Consulting Engineer:

Donald Gallo, Consulting Engineer, P.C.
260 Elmwood Avenue
Buffalo, New York 14222
(716) 883-1234

March 7, 1994

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

- (T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to the provisions of Chapter 30-26 of the Code of the Town of Lancaster.
- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster.
- (CSW) = Conditional sidewalk waiver.

<u>NO.</u>	<u>CODE</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
1552		Maria Santalucia	457 Aurora St	ER. DECK
1553		D. J. Hart Painting	342 Schwartz Rd	DEM. POLE BARN
1554	(T)	Iona Associates	32 Hampton Ct	ER. SIN. DWLG
1555	(T)	Patrick Devel. Inc.	12 Hill Valley Dr	ER. SIN. DWLG
1556	(T)	Burke Construction	36 Hampton Ct	ER. SIN. DWLG
1557	(T)	Fischione Const. Co.	4 Trails End	ER. SIN. DWLG
1558	(T)	Stratford Homes Inc.	85 Michael's Walk	ER. SIN. DWLG
1559	(T)	Stratford Homes Inc.	24 Windsor Ridge	ER. SIN. DWLG
1560	(T)	All Craft Inc.	81 Michael's Walk	ER. SIN. DWLG
1561	(T)	Donato Developers Inc.	25 Via Donato W	ER. SIN. DWLG
1562		Ken & Adrian Graber	4 Fox Hunt Rd	EXT. SIN. DWLG
1563	(T)	Centennial Homes	13 Sugarbush	ER. SIN. DWLG

and,

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the condition that the Town of Lancaster, at any future date, has the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED ***
SUPERVISOR GRECO	VOTED YES
*** = ABSENT	

March 7, 1994

File: R.BLDG (P1)

Council Member Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER POKORSKI , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for the construction of handicapped accessibility facilities at Keysa Park Pool House, Meadow Lea Pool House and Police Building Lavatories, and

WHEREAS, bids were received and opened on March 3, 1994, and

WHEREAS, Donald Gallo, Consulting Engineer has reviewed the bids and, by letter dated March 7, 1994, has recommended that the lowest responsible bidders, in conformance with the specification, are as follows:

GENERAL CONSTRUCTION:

For Items 10G-A and 10G-B:

E.E. Wallace Construction Co., Inc.
P.O.Box 183
North Boston, New York 14110 \$ 60,800.00

PLUMBING CONSTRUCTION:

For Items 10P-A and 10P-B:

Kandey Co., Inc.
19 Ransler Drive
West Seneca, New York 14224 \$ 21,250.00

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the contracts for the construction of handicapped accessibility facilities at Keysa Park Pool House and Meadow Lea Pool House to the following lowest responsible bidders in conformance with the specifications on file in the Town Clerk's Office:

GENERAL CONSTRUCTION

Bid Items 10G-A and 10G-B:

E.E. Wallace Construction Co., Inc.
P.O.Box 183
North Boston, New York 14110

\$ 60,800.00

PLUMBING CONSTRUCTION

Bid Items 10P-A and 10P-B:

Kandey Co., Inc.
19 Ransler Drive
West Seneca, New York 14224

\$ 21,150.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED ***
SUPERVISOR GRECO	VOTED YES
*** = ABSENT	

March 7, 1994

STATUS REPORT ON UNFINISHED BUSINESS:Public Improvement Permit Authorization - The Crossings Subdivision,
(Giallanza) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Deer Cross Subdivision, Phase I
(Donato) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Deer Cross Subdivision, Phase II
(Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Forestream Village Subdivision,
Phase I (DiLapo) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Floodway Grading	Yes	No	No	No	n/a
Street Lights	Yes	Yes 1/18/94	No	n/a	No

Public Improvement Permit Authorization - Forestream Village Subdivision,
Phase II (DiLapo) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Floodway (S. Br.)	Yes	No	No	No	n/a
Street Lights	Yes	Yes 1/18/94	No	n/a	No

Public Improvement Permit Authorization - Forestream Village Subdivision,
Phase III (DiLapo) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Street Lights	Yes	Yes 1/18/94	No	n/a	Yes
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Glen Hollow, Phase I (Josela)
Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Sidewalks	No	n/a	n/a	n/a	n/a

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)Public Improvement Permit Authorization - Grafton Park Subdivision (Donato Developers) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Hidden Hollow Subdivision, (Paul M. Dombrowski)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement and Curbs	Yes	Yes 10/21/91	Yes	NB-1-	Yes
Sidewalks	No	n/a	n/a	n/a	n/a

NB-1- Deed Filed. Awaiting return from County Clerk.

Public Improvement Permit Authorization - Hillview Estates Subdivision, Phase I (Hillview Development)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes 12/16/91	Yes	n/a	NB-2-
Pavement and Curbs	Yes	Yes 12/16/91	Yes	NB-1-	NB-2-
Storm Sewers	Yes	Yes 12/16/91	Yes	n/a	NB-2-
Detention Basin	Yes	No	No	No	NB-2-
Street Lights	Yes	Yes 2/22/93	Yes	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

NB-1- Filed but not yet returned.

NB-2- Town Attorney has Bill of Sale.

Public Improvement Permit Authorization - Hillview Estates Subdivision, Phase II (Hillview Development)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes 9/08/92	Yes	n/a	Yes
Pavement and Curbs	Yes	Yes 9/08/92	Yes	NB-1-	Yes
Storm Sewers	Yes	Yes 9/08/92	Yes	n/a	Yes
Detention Basin	No	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

NB-1- 12/1/92- Deed filed. Awaiting return from County Clerk

Improvement Permit Authorization - Hunters Creek Subdivision, Phase I (Burke Bros. Construction) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Storm Sewers	Yes	Yes 8/02/93	Yes	n/a	No

Public Improvement Permit Authorization - Hunters Creek Subdivision, Phase II (Burke Bros. Construction)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes 8/02/93	Yes	n/a	No
Pavement and Curbs	Yes	Yes 8/02/93	Yes	No	No
Storm Sewers	Yes	Yes 8/02/93	Yes	n/a	No
Detention Basin	n/a	n/a	n/a	n/a	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)

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Public Improvement Permit Authorization - Hunters Creek Subdivision, Phase III
(Burke Bros. Construction)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes 12/6/93	Yes	n/a	No
Pavement and Curbs	Yes	Yes 12/6/93	Yes	No	No
Storm Sewers	Yes	Yes 12/6/93	Yes	n/a	No
Detention Basin	n/a	n/a	n/a	n/a	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Indian Pine Village Subdivision, Phase I (Fischione Const., Inc.) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No

Public Improvement Permit Authorization - Indian Pine Village Subdivision, Phase II (Fischione Construction) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Lake Forest Subdivision, Phase I (Dana Warman) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

Public Improvement Permit Authorization - Lake Forest South Subdivision (Mark Ogian)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes 12/07/92	Yes	n/a	No
Pavement and Curbs	Yes	Yes 12/07/92	Yes	Yes	No
Storm Sewers	Yes	Yes 12/07/92	Yes	n/a	No
Detention Basin	n/a	n/a	n/a	n/a	n/a
Street Lights	Yes	Yes 9/20/93	Yes	n/a	Yes
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Larkspur Acres Subdivision, (Andrusz & Schmid Dev.) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

Public Improvement Permit Authorization - Liberty Square Subdivision (Dana Warman) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)Public Improvement Permit Authorization - Meadowlands Subdivision (Bosse)Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Pine Tree Farm, Phase I (Josela - East off Aurora Street) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement and Curbs	Yes	Yes 9/05/89	Yes	NB-1-	Yes
Detention Basin	Yes	No	No	No	n/a

NB-1- Deed received but not yet recorded.

Public Improvement Permit Authorization - Pine Tree Farm, Phase II (Josela - East off Aurora Street) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement and Curbs	Yes	Yes 4/17/89	Yes	No	Yes

Public Improvement Permit Authorization - Quail Run Subdivision, Phase I (Ciminelli Development Co.) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Southpoint Subdivision, Phase I (Josela) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
E. Detention Pond	Yes	No	No	No	n/a
W. Detention Pond	Yes	No	No	No	n/a

Public Improvement Permit Authorization - Stony Brook, Phase I (Marrano) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement & Curbs	Yes	Yes 12/17/90	Yes	NB-1-	Yes
Detention Area 1	Yes	No	No	No	n/a
Detention Area 2	Yes	No	No	No	n/a

NB-1- Deed received but not yet filed.

Public Improvement Permit Authorization - Stony Brook, Phase II (Marrano) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Area	Yes	No	No	No	n/a

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)Public Improvement Permit Authorization - Stony Brook, Phase III(A) (Marrano)
Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Pond	Yes	No	No	No	n/a

Public Improvement Permit Authorization - Stony Brook, Phase III(B) (Marrano)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	No	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Stony Brook, Phase IV(A) (Marrano)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	No	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Stony Brook South (George Stephen)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	No	No	No	n/a	No
Pavement and Curbs	No	No	No	No	No
Storm Sewers	No	No	No	n/a	No
Detention Basin	No	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Townview Apartments (Belmont Shelter)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes 2/7/94	Yes	n/a	Yes
Pavement and Curbs	Yes	Yes 2/7/94	Yes	NB-1-	Yes
Storm Sewers	Yes	Yes 2/7/94	Yes	n/a	Yes
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	Yes 2/7/94	Yes	n/a	Yes
Sidewalks	Yes	n/a	n/a	n/a	n/a

NB-1- Deed Filed. Awaiting return from County Clerk.

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)Public Improvement Permit Authorization - Thruway Industrial Park (P & R Casilio Enterprises)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Walden Trace Subdivision (Josela/Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	No	No	No	n/a	No
Pavement and Curbs	No	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	No	No	No	No	n/a
Street Lights	No	No	No	n/a	No

Public Improvement Permit Authorization - Warnerview Estates, Phase I (Donato) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

Public Improvement Permit Authorization - Warnerview Estates, Phase II (Donato) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Street Lights	Yes	No	No	n/a	No

Public Improvement Permit Authorization - Willow Ridge Subdivision (Cimato Bros.) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

Public Improvement Permit Authorization - Windsor Ridge Subdivision, Phase I (M. J. Peterson)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes 9/7/93	Yes	n/a	No
Pavement and Curbs	Yes	Yes 9/7/93	No	No	No
Storm Sewers	Yes	Yes 9/7/93	Yes	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No

Public Improvement Permit Authorization - Woodgate Subdivision, Phase I (Josela Enterprises) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)

Rezone Petition - Buffalo Crushed Stone, Inc.

On February 18, 1994, this matter was referred to the Planning Board for review and recommendation.

Rezone Petition - Arlene McKenzie

On February 18, 1994, this matter was referred to the Planning Board for review and recommendation.

Subdivision Approval - Autumn Park (N/William - W/Bowen)

On October 25, 1993, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On November 3, 1993, the Planning Board approved a sketch plan for this development.

Subdivision Approval - Belmont Creek (N/Central Avenue - W/Walden Avenue)

On February 23, 1994 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On March 2, 1994 the Planning Board approved the sketch plan.

Subdivision Approval - Bowen Road Square (Off Bowen Road)

On August 30, 1990 the developer tendered to the Town Clerk a subdivision filing fee of \$1,135.00. On August 1, 1990 the Planning Board approved the preliminary plat for this development subject to three conditions. On January 22, 1991 the Municipal Review Committee tabled their SEQR Review decision pending receipt of additional data from the petitioner. On March 29, 1993 the Municipal Review Committee adopted a Negative SEQR Declaration for this project.

Subdivision Approval - Cross Creek (Off Pleasant View Drive)

On November 5, 1992 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On November 18, 1992 the Planning Board approved the sketch plan for this subdivision. On March 29, 1993 the Municipal Review Committee adopted a Negative SEQR Declaration for this project. On September 16, 1993 an application for preliminary plat approval was filed with the Town Clerk along with a check for \$760.00 and referred to the Building Inspector for distribution to various reviewers. On October 6, 1993 the Planning Board approved the preliminary plat plan for this subdivision with two changes that must be incorporated into the final plat plan submittal.

Subdivision Approval - East Brook Estates (Off Bowen Road)

This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.

Subdivision Approval - Fairway Hills (Off William Street)

On November 19, 1992 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On January 6, 1993 the Planning Board conditionally approved the sketch plan for this subdivision. On January 6, 1993 the Municipal Review Committee adopted a Positive SEQR Declaration on this matter. On January 20, 1993 an informal scoping session was held on this project. On June 9, 1993 the Town Board held a Public Hearing on the Draft Environmental Impact Statement (DEIS) for this project. On August 9, 1993 the Building Inspector received and distributed a revised sketch plan to the Planning Board and various reviewers. On October 18, 1993 the Town Board accepted the Draft Environmental Impact Status (DEIS) dated July 1993, as supplemented and amended as the Final Environmental Impact Statement (FEIS).

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)Subdivision Approval - Fox Valley Estates, Phase I (Off Peppermint Road)

On November 22, 1991 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On January 25, 1993 the Building Inspector received and distributed a revised sketch plan to the Planning Board and other reviewers. On February 3, 1993 the Planning Board approved the sketch plan subject to three conditions. On February 12, 1993 an application for Preliminary Plat Plan approval was received with a review fee of \$820.00 and distributed by the Building Inspector to various reviewers. On March 3, 1993 the Planning Board approved the Preliminary Plat with two conditions. On March 15, 1993 the Town Board accepted the final Environmental Impact Statement dated February 9, 1993. On March 15, 1993 the Draft environmental Impact Statement (DEIS), dated February 9, 1993 as supplemented and amended, was adopted as the Final Environmental Impact Statement (FEIS). On April 4, 1993 the Town Board adopted Final SEQR findings for this project. On February 7, 1994 the Town Board approved the filing of a map cover on this subdivision.

Subdivision Approval - Golfe Creek Town Homes (formerly Country Club Commons) (Townhouses - Off Broadway West of the Lancaster Country Club)

On July 9, 1990 the Municipal Review Committee adopted a Negative SEQR Declaration on this matter. On October 24, 1990 the Building Inspector transmitted an Application for Sketch Plan Approval to the Planning Board for review. On November 7, 1990 the Planning Board approved the sketch plan for this development. On November 21, 1990 the developer tendered to the Town Clerk an Application for Approval of Subdivision Preliminary Plat Plan along with a filing fee of \$1090.00. On November 28, 1990 the Planning Board approved the Preliminary Plat Plan. On February 1, 1991 the developer filed a final plat with the Building Inspector for review and distribution to the Town Board. On February 11, 1991 the Town Attorney notified the developer that the final plat was not sufficient. On June 17, 1991 the Town Board approved the final plat for this development and authorized the filing of a map cover in the Erie County Clerk's Office. On August 19, 1991 the Town Board approved a name change for this project to Golfe Creek Town Homes and authorized the filing of a map cover in the Erie County Clerk's office under that name. This item remains on the agenda until the map cover is filed.

Subdivision Approval - Michael's Landing (Off Lake Avenue)

On September 20, 1993, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On October 6, 1993 the Planning Board denied approval of the sketch plan. On October 25, 1993, an amended application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On November 3, 1993, the Planning Board approved a revised sketch plan for this development. On January 21, 1994 an application for plat plan approval was filed with the Town Clerk and referred to the Building Inspector for distribution to various reviewers. On February 2, 1994 the Municipal Review Committee adopted a Negative Declaration. On March 2, 1994 the Planning Board approved the preliminary plat plan.

Subdivision Approval - Parkedge (Off William Street)

On October 18, 1989 the Planning Board approved the sketch plan for this project. On March 6, 1991 an application for preliminary plat approval was filed with the Town Clerk and referred to the Building Inspector for distribution to various reviewers. On March 6, 1991 a \$1285.00 Subdivision Filing Fee was received by the Town Clerk. On May 6, 1991 the SEQR Municipal Review Committee adopted a negative declaration.

Subdivision Approval - Penora Street

On May 20, 1993 an application for subdivision preliminary plat plan approval was filed with the Building Inspector and distributed to various reviewers.

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)Subdivision Approval - Regents Park (S/S Genesee St. - W/Home Rd.)

On November 2, 1993, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On December 1, 1993 the Planning Board approved the sketch plan.

Subdivision Approval - Scinta (4 lots Erie Street)

On July 31, 1992 the developer tendered to the Town Clerk an Application for Preliminary Plat Plan Approval along with a filing fee of \$400.00. On August 1, 1992 the Building Inspector distributed the Preliminary Plat Plan to various reviewers. On September 2, 1992 the Planning Board approved a preliminary plat plan for this subdivision. On November 2, 1992 a SEQOR hearing was held on this matter and a Negative Declaration was adopted.

Subdivision Approval - Stony Brook, Phase IV (South Side of Pleasant View Drive)

On March 16, 1992 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On April 1, 1992 the Planning Board approved the sketch plan. On October 21, 1992 the Planning Board gave conditional approval to this preliminary plat plan. On July 6, 1993, the Town Board authorized the filing of a map cover in the Erie County Clerk's Office. This item remains on the agenda until the map cover is filed. On December 15, 1993, the owner called the Town Clerk and informed him that a map cover was filed on August 6, 1993 under Map Cover No. 2633.

Subdivision Approval - Stony Brook South (North of Walden Avenue)

On April 27, 1993 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On May 5, 1993 the Planning Board approved a sketch plan for this subdivision. On June 25, 1993, an application for preliminary plat approval was filed with the Town Clerk along with a check for \$400.00 and referred to the Building Inspector for distribution to various reviewers. On June 25, 1993, the Building Inspector distributed the preliminary plat to various reviewers. On November 15, 1993, the Town Board authorized the filing of a map cover in the Erie County Clerk's Office. This item remains on the agenda until the map cover is filed.

Subdivision Approval - Stream Field (East of Tops Plaza)

On February 3, 1993 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On March 17, 1993 the Planning Board approved the sketch plan. On March 29, 1993, the Municipal Review Committee adopted a SEQOR Negative Declaration for this project.

Subdivision Approval - Thruway Industrial Park (Off Gunville Rd.)

On October 4, 1989 the Planning Board approved the site plan for this subdivision. On October 13, 1989 the developer tendered to the Town Clerk a subdivision filing fee of \$415.00. On August 6, 1990 the Town Board adopted a SEQOR Negative Declaration on this matter. On September 20, 1993, the Building Inspector received and distributed a revised plat plan to the Town Attorney, Town Clerk, Engineer and Highway Superintendent.

Subdivision Approval - Valley Overlook (S/Genesee Street and W/Ransom Road) (Pittsford-Mendon Corp.)

On September 22, 1993 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On October 6, 1993 the Planning Board denied approval of the sketch plan and directed the developer to submit a new revised sketch plan which would address three of their concerns. On November 19, 1993, an amended sketch plan was filed with the Building Inspector and distributed to various reviewers. On December 1, 1993 the Planning Board approved the revised sketch plan.

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)

Subdivision Approval - Village on the Park (N/E Corner Lake and William)

On January 27, 1993 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On February 17, 1993 the Planning Board approved the sketch plan. On March 29, 1993 the Municipal Review Committee adopted a SEQR Negative Declaration for this project.

Subdivision Approval - Walnut Creek (Off Aurora Street)

On April 28, 1992 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On July 15, 1992 the Municipal Review Committee adopted a SEQR Negative Declaration for this project. On October 10, 1992 an Application for Preliminary Plat Approval was filed with the Town Clerk along with a check for \$1930.00 and referred to the Building Inspector for distribution to various reviewers. On November 4, 1992 the Planning Board approved the preliminary plat plan for this subdivision. On May 19, 1993 the Planning Board approved a revised preliminary plat plan for this subdivision. On November 15, 1993, the Town Board authorized the filing of a map cover in the Erie County Clerk's Office. This item remains on the agenda until the map cover is filed.

Subdivision Approval - Windsor Ridge, Phase II (Off Lake Avenue)

On November 22, 1993, an application for preliminary plat approval was filed with the Town Clerk along with a check for \$940.00. On November 22, 1993, the Building Inspector distributed the preliminary plat plan to various reviewers. On December 1, 1993 the Planning Board approved the Preliminary Plat.

COMMUNICATIONSDISPOSITION

- | | |
|---|--|
| 132. Robert Giroux to Town Board -
Letter of appreciation for being able to attend
Pesticide Conference 2/17/94. | R & F |
| 133. County Dept. of Public Works to Town Clerk -
Copy of Agreement for Expenditure of Highway
Monies. | HIGHWAY SUPERINTENDENT
HIGHWAY COMMITTEE |
| 134. Town Clerk to Town Board -
Submittal of Town Clerk's Monthly Report for
February, 1994. | R & F |
| 135. Supervisor to Town Board -
Committee Appointments for the years 1994
and 1995. | R & F |
| 136. County Dept. of Environment & Planning to
Supervisor -
General Wage Determination NY940008 to be used
for building construction - Lancaster Handicap
Access. | TOWN ENGINEER
TOWN CLERK
TOWN ATTORNEY |
| 137. Hazmat Coordinator to Town Board -
Spill report for Colorgraphic Web Offset
Printing, 2/24/94. | R & F |
| 138. Planning Board Chairman to Town Board -
Minutes for meeting March 2, 1994. | R & F |
| 139. Planning Board Chairman to Town Board -
Advisement that flooding should be monitored
on east side of Lake Ave. | PLANNING COMMITTEE
TOWN ENGINEER |
| 140. Planning Board to Town Board -
Buffalo Crushed Stone, Cintas - Rezone approval
with deed restrictions, ROO to LI. | PLANNING COMMITTEE
TOWN ENGINEER
TOWN ATTORNEY |
| 141. Planning Board to Town Board -
Michael's Landing, approval of preliminary plat
with conditions. | PLANNING COMMITTEE
TOWN ATTORNEY
TOWN ENGINEER |
| 142. Planning Board to Town Board -
Belmont Creek, approval of sketch plan. | PLANNING COMMITTEE
TOWN ENGINEER
TOWN ATTORNEY |
| 143. Kathleen Dusza to Town Board -
Re. one-sided street parking on Squirrel Run. | PUBLIC SAFETY |
| 144. Youth Bureau Director to Supervisor -
Requests permission to attend NYSYB General
Membership Meeting in Albany on 3/21-22/94. | R & F |
| 145. M.A. Tuffillaro Builders to Town Clerk -
Letter of consent and agreement to conditions
in resolution approving rezone petition. | R & F |

PERSONS ADDRESSING TOWN BOARD:

Guenther, James, 562 Pavement Road, spoke to the Town Board on the following matters:

- 1 Supports return of a board of police commissioners.
2. Development of Westwood Park.
3. Fees to be charged by Westwood Park architect.
4. Bidding of architectural fees for Westwood Park.

Juszcak, Joseph, 600 Pleasant View Drive, spoke to the Town Board on the following matters:

1. Complained of police harassment of himself and his wife.
2. Supports return of a board of police commissioners.

Rubicki, Gloria, 15 Maple Drive, spoke to the Town Board on the following matters:

1. State aid for Westwood Park.
2. Publication of a new dog ordinance.
3. Contract with LVAC for ambulance.
4. Collection of back taxes on Hawk property.

ADJOURNMENT:

ON MOTION OF COUNCILMAN KWAK, AND SECONDED BY THE ENTIRE TOWN BOARD
AND CARRIED, the meeting was adjourned at 8:55 P.M.

Signed

Robert P. Thill

Robert P. Thill, Town Clerk